

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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DUVAL CLEMMONS,  
individually and on behalf of all others similarly  
situated,

Plaintiff,

22-cv-355 (PKC)

-against-

ORDER

UPFIELD US INC.,

Defendant.

-----x

CASTEL, U.S.D.J.:

All discovery in this action is now concluded. Defendant may move for summary judgment and to preclude plaintiff's expert with a consolidated memorandum covering both motions not to exceed 35 pages, a consolidated response by plaintiff of 35 pages and a consolidated reply by defendant of 15 pages. In submitting a Rule 56.1 Statement the movant is reminded that the listing of a fact in a Rule 56.1 Statement is an admission that the fact so listed is material to the disposition of the motion; if a single such statement is genuinely disputed, then the motion will likely be denied. Also the parties shall comply with the undersigned's Individual Practices at ¶3.G

Defendant's motions due April 12, 2024, plaintiff's response due May 13, 2024 and defendant's reply due May 31, 2024.

Plaintiff's proposed motion for class certification is deferred until after the disposition of defendant's motions.

Letter motions (ECF 36 & 39) should be terminated.

SO ORDERED.



P. Kevin Castel  
United States District Judge

Dated: New York, New York  
March 7, 2024